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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [SL](#)  
SUBJECT: SIERRA LEONE -- 2009 TIP REPORT: PRESS GUIDANCE  
AND DEMARCHE

REF: A. (A) STATE 59732  
[1](#)B. (B) STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Sierra Leone of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Sierra Leone and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at [www.state.gov/g/tip](http://www.state.gov/g/tip) shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP,s Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Sierra Leone of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing

the framework in which the government's performance will be judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Sierra Leone's country narrative in the 2009 TIP Report:

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Sierra Leone (TIER 2)

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Sierra Leone is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. The majority of victims are children trafficked internally within the country, largely from rural provinces, and sometimes from refugee communities, to urban and mining centers. Within the country, women and children are trafficked for: domestic servitude; commercial sexual exploitation; forced labor in agriculture, diamond mining, and the fishing industry; forced petty trading; forced street crime; and forced begging. Transnationally, Sierra Leonean women and children are trafficked to other West African countries, notably Guinea, Cote d'Ivoire, Liberia, Nigeria, Guinea-Bissau, and The Gambia for the same purposes listed above and to North Africa, the Middle East, and Europe for domestic servitude and sexual exploitation. Sierra Leone is a destination country for children trafficked from Nigeria, and possibly from Liberia and Guinea, for forced begging, forced labor and for sexual exploitation.

The Government of Sierra Leone does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Sierra Leone demonstrated slightly increased law enforcement efforts over the last year by convicting a second trafficker under its 2005 anti-trafficking law. Sierra Leone also reported referring more trafficking victims to IOM for care than the prior reporting period. Overall anti-trafficking efforts remained weak, however, as government authorities continued to lack a clear understanding of trafficking and relied largely on the NGO and international community to tackle it.

Recommendations for Sierra Leone: Strengthen efforts to prosecute and convict trafficking offenders; train law enforcement officers and social workers to implement formal procedures to identify trafficking victims among vulnerable populations, such as females in prostitution, unaccompanied foreign children, and illegal migrants; provide comprehensive services to identified victims; improve coordination between the central and provincial governments for the collection of data on traffickers arrested and victims rescued; and increase government participation at meetings of the national trafficking task force.

Prosecution

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The Government of Sierra Leone made slightly increased law enforcement efforts to combat trafficking in the last year. Sierra Leone prohibits all forms of trafficking through its 2005 Anti-Trafficking in Persons Act, which prescribes a maximum penalty of 10 years, imprisonment. This penalty is sufficiently stringent, but not commensurate with penalties for rape, which carry a maximum sentence of life imprisonment. Comprehensive law enforcement statistics were not available due to poor data collection and communication among law officials in the interior of the country and central government authorities. According to data collected

by the Family Support Units (FSU) of the Sierra Leone Police (SLP) tasked with addressing trafficking, between January and December 2008, the government investigated 38 trafficking cases. More than half of these cases involved female victims below the age of 16. During the year, a total of 12 individuals were charged with trafficking. In December 2008, the government secured the conviction of a man for trafficking a child for forced labor; he was given a sentence of four years, imprisonment. In February 2009, the Special Court of Sierra Leone, which was operated jointly by the UN and the Sierra Leonean government, convicted two former members of the Revolutionary United Front for conscripting child soldiers during the country's 11-year civil war. Border officials continue to lack a full understanding of the distinction between smuggling and trafficking.

#### Protection

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The Sierra Leonean government demonstrated some efforts to protect trafficking victims during the last year. The government does not provide direct assistance to victims, but instead refers them to the country's only trafficking victim shelter, which is located in Freetown and operated by IOM. The FSU in 2008 identified 38 trafficking victims, whom it referred to the Ministry of Social Welfare (MOSW). The MOSW referred the majority of these victims to IOM's shelter for care, while others were placed in the custody of family members. In 2008, government officials referred 84 victims to IOM for care. Some victims outside Freetown were not referred for care, however, due to lack of transport to the capital or the difficulty of travel during the rainy season. While the Sierra Leonean government has developed a protocol for law enforcement and social services authorities, identification of trafficking victims, only a small number of officials have been trained to follow it. Authorities do not follow procedures to identify trafficking victims among most populations vulnerable to trafficking, such as females in prostitution, unaccompanied minors, and undocumented immigrants. When identified, however, victims are encouraged to participate in the prosecution of their traffickers. Due to lengthy delays in court proceedings, many victims are not available to testify in court, often resulting in the dropping of trafficking charges against suspected traffickers. Sierra Leone does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. There were no known cases during the year of trafficking victims penalized for unlawful acts as a direct result of being trafficked. However, a weak understanding among officials of trafficking has likely led to some trafficking victims being penalized as illegal immigrants or females in prostitution.

#### Prevention

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The Government of Sierra Leone made inadequate efforts to raise awareness about trafficking during the reporting period. Every two months during the year, the MOSW convened meetings of the Task Force, a joint government, NGO, and international organization entity to coordinate national anti-trafficking efforts. These meetings, however, were not well attended by government ministries, hampering the government's coordination with donors. While Sierra Leone's 2007 national action plan was implemented with donor funding throughout 2007 and early 2008, implementation halted in late 2008 due to lack of support and resources within the government. The government took no measures to reduce demand for commercial sexual exploitation. Sierra Leone has not ratified the 2000 UN TIP Protocol.

¶9. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000

Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1 ) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in

persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website [www.state.gov/g/tip](http://www.state.gov/g/tip).

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: Why is Sierra Leone on Tier 2?

A: The Government of Sierra Leone does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Sierra Leone demonstrated slightly increased law enforcement efforts over the last year by convicting a second trafficker under its 2005 anti-trafficking law. Sierra Leone also reported referring more trafficking victims to IOM for care than the prior reporting period. Overall anti-trafficking efforts remained weak, however, as government authorities continued to lack a clear understanding of trafficking and relied largely on the NGO and international community to tackle it.

Q2: What progress has Sierra Leone made in the last year?

A: In December 2008, the government secured the conviction of a man for trafficking a child for forced labor; he was given a sentence of four years, imprisonment. The government investigated 38 trafficking cases and a total of 12 individuals were charged with trafficking. In February 2009, the Special Court of Sierra Leone, which was operated jointly by the UN and the Sierra Leonean government, convicted two former members of the Revolutionary United Front for conscripting child soldiers during the country's 11-year civil war. In 2008, government officials referred 84 victims to IOM for care.

Q3: How can Sierra Leone further the fight against trafficking in persons?

A: Strengthen efforts to prosecute and convict trafficking offenders; train law enforcement officers and social workers to implement formal procedures to identify trafficking victims among vulnerable populations, such as females in prostitution, unaccompanied foreign children, and illegal migrants; provide comprehensive services to identified victims; improve coordination between the central and provincial governments for the collection of data on traffickers arrested and victims rescued; and increase government participation at meetings of the national trafficking task force.

¶12. The Department appreciates posts, assistance with the preceding action requests.  
CLINTON